T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			17-Sep-07	APPL. S. N:	10822349								
To Examiner:			NGUYEN, NAM	Art Unit	2612								
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68								
SUBJEC	SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:												
INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,													
please initial, date and return this memo to me. THANK YOU.													
\mathbf{r}	The T.D.	The T.D. is PROPER and has been recorded (see 14.23).											
	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):												
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account											
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.2.6 a 14.2.6 o.1).											
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).											
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termina portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).											
		The person who signed the T.D.:											
		∏ is n	ot an attorney "of record" (see 1	14.29 and 14.29.01).									
		L has	failed to state his/her capacity t	to sign for the business entity (see	2 14.28).								
		is n	ot recognized as an officer of the	e assignee (see 14.29 & possible 1	4.29.02).								
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.S. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).											
		The T.D. is n	ot signed (see 14.26 & 14.26.03).									
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).											
			mber of this application (or the i missing or incorrect (see 14.26,	number of the patent in reexam or 14.27.02 or 14.26.05).	r reissue cases being								
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).											
	Γ	Other:			(¥)								
			request refund (see 14.36). NO neck this item.	OTE: If already authorized, credit i	refund to deposit account								
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.													
Ex.Initials: Log Date:													

Application Number		Application/Control No.		Applicant(s)/Patent under Reexamination CROWELL ET AL.			
Document Code - DISQ		Internal Doc		oc	cument – DO NOT MAIL		
TERMINAL DISCLAIMER	⊠ APPROVED		☐ DISAPPROVED				
Date Filed : July 6, 2007	This patent is subject to a Terminal Disclaimer						
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

PTO/ S8/28 (04-07)

Approved for use through 09/30/2007. OMB 055/10/31

U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a colection of information unless it displays a valid OMB control number.

Docket Number (Ontional) TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING 0275K-000591/CPB REJECTION OVER A "PRIOR" PATENT In re Application of: Crowell et al 10/822.349

Application No.

Filed: April 9, 2004

SYSTEM AND METHOD FOR DATA RETRIEVAL IN AC POWER TOOLS VIA AN AC LINE CORD For:

The owner, <u>Black & Decker</u> , of 100 percent intereminal part of the statutory term of any patent grant he full statutory term propriet Nov. 754.586 term of said prior patent is presently shortened by the instant application shall be enforceable only for agreement runs with any patent granted on the inst	inted on the Instant ap as the term of said pri any terminal disclaim r and during such perior	plication which would ext ior patent is defined in 3 er. The owner hereby agr od that it and the prior p	end beyond the expiration date 5 U.S.C. 154 and 173, and as t ees that any patent so granted atent are commonly owned. The
n making the above disclaimer, the owner does a application that would extend to the expiration da patent, "as the term of said prior patent is prese ater:	te of the full statutory	term as defined in 35	U.S.C. 154 and 173 of the pri
expires for failure to pay a maintenance fee;			
is held unenforceable; is found invalid by a court of competent jurisdicti	ion.		
is statutorily disclaimed in whole or terminally dis has all claims canceled by a reexamination certi is reissued; or	sclaimed under 37 CF	R 1.321;	
is in any manner terminated prior to the expiration	on of its full statutory t	erm as presently shorten	ed by any terminal disclaimer.
Check either box 1 or 2 below, if appropriate.			
For submissions on behalf of a business etc.), the undersigned is empowered to act			niversity, government agency,
I hereby declare that all statements made nformation and belief are believed to be true; and statements and the like so made are punishable b States Code and that such wiliful faise statements n	further that these stat y fine or imprisonment	tements were made with it, or both, under Section	the knowledge that willful false 1001 of Title 18 of the United
2. The undersigned is an attorney of record.	Reg. No. 33,686	uch Tel	July 6, 2007
		Signature	Date
	Ma	rk D. Elchuk	
		Typed or printed r	name
		(248) 641-160	0
		Teleph	one Number
M =	A		
☑ Terminal disclaimer fee under 37 CFR 1.20(d	•		
WARNING: Information on this form be included on this form. Provi			

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to belief or return is burnel by the public which is to file (and by the USFFO to process) an application. Confidentiality is more than 38.0 Sec., 12 and 37 CFR 1.1 and 1.4. This collection is estimated to take 12 confidentiality is completed application form to the USFFO. Time will vary depending upon the undividual case. Any comments on the amount of time by a require to complete application form to the USFFO. Time will vary depending upon individual case. Any comments on the amount of time by a require to complete the form and/or suggestions for reducing the Surden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commence, P.O. Box 1403, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE FORMST O'T INSADDRESS. SENT O'C Commissioner for Patents, P.O. Box 1409, Alexandria, VA 22313-1450. DO NOT SEND